STAND. COM. REP. NO.

3128

Honolulu, Hawaii

MAR 2 5 2014

RE: S.C.R. No. 78 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred S.C.R. No. 78 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LANIKAI, KOOLAOPOKO, OAHU, FOR ROCK BLANKET AND REVETMENT PURPOSES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Lanikai, Koolaupoko, Oahu, for rock blanket and revetment purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a single-family dwelling, along with a non-conforming shoreline protection structure as identified by the City and County of Honolulu Department of Planning and Permitting, was built on a certain lot in 1966, and there exists a rock blanket located seaward of the seawall and within lands designated as a conservation district. The Office of Conservation and Coastal Lands has determined that there is insufficient evidence to find whether the rock blanket was constructed prior to the adoption and administration of land use regulations for conservation districts by the Board of Land and Natural Resources in 1964.

On October 11, 2013, under agenda item D-4, the Board of Land and Natural Resources approved the request of Global Spring Management Hawaii, LLC, the owners of the lot, for a non-exclusive easement, pending the payment of an appraised fair market value for the easement. This measure provides legislative approval pursuant to section 171-53, Hawaii Revised Statutes, for the issuance of the easement.

Your Committee has amended this measure by:

- (1) Amending the title of the measure to read, "AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAILUA, KOOLAUPOKO, OAHU, FOR ROCK BLANKET AND REVETMENT PURPOSES."; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 78, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.C.R. No. 78, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Water and Land,

MALAMA SOLOMON,

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee Referral: Date:				
SCR78	WTL,	WAM	. 3	3-21.	- 14
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)		/			
GALUTERIA, Brickwood (VC)		· V			
DELA CRUZ, Donovan M.					
IHARA, Jr., Les			·		-
RUDERMAN, Russell E.					
SHIMABUKURO, Maile S.L.					
TANIGUCHI, Brian					
THIELEN, Laura H.				.··	
SLOM, Sam					
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-					
					<u> -</u>
TOTAL		6	0	0	3
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes